

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARSH USA, INC., a Delaware  
corporation; and MARSH &  
MCLENNAN COMPANIES, INC., a  
Delaware corporation,

Plaintiffs,

vs.

CHAD W. KARASAKI,

Defendant.

CIVIL NO. 08 C.V. 4195 (JGK)  
DECLARATION OF CHRISTOPHER  
DAVIS

**DECLARATION OF CHRISTOPHER DAVIS**

I, Christopher Davis, declare:

1. I am a Vice President with Marsh Risk and Insurance Services in San Francisco, CA.

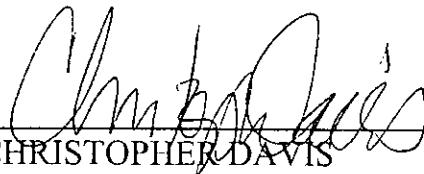
2. Attached as Exhibit "A" is a true copy of an email I received at or about 6:53 a.m. on March 21, 2008 from James Sifferman, Managing Account Executive at Zurich Residential Risk ("Zurich"), an insurance company. In that email, Mr. Sifferman states, among other things, that he was looking for a contact at Marsh of Hawaii to advise that Zurich had received Broker of Record letters from Aon Risk Services Inc. of Hawaii ("Aon Hawaii") on behalf of Maryl Group, Kiahuna Kanihiku dba Wainani and Stanford Carr Development, LLC – all Marsh Hawaii clients at the time of the email – identifying Aon Hawaii as their new

broker. Chad Karasaki, former Managing Director and Head of Marsh Hawaii, who was employed by Aon at the time of this email, is copied on the email from Mr. Sifferman.

3. Attached as Exhibit "B" is a true copy of an email I received at or about 10:31 a.m. later that same day (March 21, 2008) from Helen Otani of Aon Hawaii confirming the transfer of client accounts from Marsh to Aon Hawaii. Karasaki is copied on the email from Ms. Otani.

This declaration is made pursuant to 28 U.S.C. § 1746(2). I declare under penalty of perjury that the foregoing is true and correct.

Executed on Tuesday, April 29, 2008 at San Francisco, CA.

  
CHRISTOPHER DAVIS

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MARSH USA INC. ET AL. v. CHAD W. KARASAKI (SDNY);  
DECLARATION OF CHRISTOPHER DAVIS

**EXHIBIT A**



James Siffermann  
<james.siffermann@zurichna.com>

03/21/2008 06:53 AM

To Christopher  
Davis/SFO-CA/US/Marsh/MMC@MMC  
cc Michael Hopson  
<michael.hopson@zurichna.com>, Jeffrey  
Grewing <jeffrey.grewing@zurichna.com>, (more below)

bcc

Subject Broker of Record Letters - Marsh Hawaii to Aon  
Risk Services of Hawaii

History: This message has been replied to and forwarded.

Chris: I left you a voicemail message yesterday looking for a contact at Marsh of Hawaii but didn't hear from you. This letter is to officially inform you that Zurich has received three (3) Broker/Agent of Record letters requesting that we recognize Aon Risk Services Inc. of Hawaii as the exclusive Broker/Agent of Record with respect to all of it's Property, Casualty, Management Liability, and Surety etal business for the following accounts:

Maryl Group  
Effective March 17, 2008  
Signed by Mark Richards - President

Kiahuna Kanihiku dba Wainani  
Effective March 17, 2008  
Signed by Mark Richards - President

Stanford Carr Development, LLC  
Effective March 19, 2008  
Signed by Stanford S. Carr - President

I have attached copies of the BOR letters below. I will be processing the official Broker of Record Letters this AM. Call me when you have a chance.

(See attached file: Maryl Group BOR.pdf) (See attached file: Wainani BOR.pdf) (See attached file: BOR\_SCD.pdf)

Thanks,  
Jim Siffermann  
Managing Account Executive  
Zurich Residential Risk  
Ph: 602-512-2022  
Fax: 866-891-9870  
Cell: 602-821-5819

\*\*\*\*\* PLEASE NOTE \*\*\*\*\*

This E-Mail/telefax message and any documents accompanying this transmission may contain privileged and/or confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail/telefax information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in

transmission and immediately delete/destroy the message and any



accompanying documents. Thank you. Meryl Group BOR.pdf Wainani BOR.pdf BOR\_SCD.pdf

All Recipients

To: Christopher Davis/SFO-CA/US/Marsh/MMC@MMC  
cc: Michael Hopson <michael.hopson@zurichna.com>, Jeffrey Grewing <jeffrey.grewing@zurichna.com>, Bruce McNabb <bruce.mcnabb@zurichna.com>, Kathleen Kelly <kathleen.kelly@zurichna.com>, Irene L Fujimoto/HON-HI/US/Marsh/MMC@MMC, Chad\_Karasaki@ars.aon.com, Helen\_Otani@ars.aon.com  
From: James Siffermann <james.siffermann@zurichna.com>

**EXHIBIT B**



Helen Otani  
<Helen\_Otani@ars.aon.com>  
>

03/21/2008 10:31 AM

To James Siffermann  
<james.siffermann@zurichna.com>

cc Bruce McNabb  
<bruce.mcnabb@zurichna.com>,  
Chad\_Karasaki@ars.aon.com, Christopher

(more below)

bcc

Subject Re: Broker of Record Letters - Marsh Hawaii to  
Aon Risk Services of Hawaii [Virus Checked]

History: This message has been forwarded.

Aloha James,

Attached are the revised authorization letters waiving the 10 days waiting period.

(See attached file: Rev Wainani BOR.pdf) (See attached file: Rev\_Maryl Group BOR.pdf) (See attached file: Rev Stanford BOR dated 032008.pdf)

Helen Otani, CIC, CISR | Aon Risk Services of Hawaii  
201 Merchant Street, Suite 2400  
Honolulu, HI 96813

P: 808 540-4358 F: 808 540-4301 E-Mail: Helen\_Otani@ars.aon.com

James Siffermann  
<james.siffermann@zurichna.com>  
Christopher.Davis@Marsh.com  
richna.com>  
<michael.hopson@zurichna.com>,  
<jeffrey.grewing@zurichna.com>, Bruce  
03/21/2008 03:53 AM  
<bruce.mcnabb@zurichna.com>, Kathleen Kelly  
<kathleen.kelly@zurichna.com>, "Irene L.Fujimoto"  
<Irene.L.Fujimoto@marsh.com>, Chad\_Karasaki@ars.aon.com,  
Helen\_Otani@ars.aon.com  
Subject: Broker of Record  
Risk Services of Hawaii  
Letters - Marsh Hawaii to Aon  
[Virus Checked]

An attachment named MARYL GROUP BOR.PDF was removed.  
An attachment named WAINANI BOR.PDF was removed.  
An attachment named BOR\_SCD.PDF was removed.

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Thanks,  
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Managing Account Executive  
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Cell: 602-821-5819

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Rev\_Wainani BOR.pdf Rev\_Maryl Group BOR.pdf Rev Stanford BOR dated 032008.pdf

All Recipients

To: James Siffermann <james.siffermann@zurichna.com>  
cc: Bruce McNabb <bruce.mcnabb@zurichna.com>, Chad\_Karasaki@ars.aon.com, Christopher Davis/SFO-CA/US/Marsh/MMC@MMC, Irene L Fujimoto/HON-HI/US/Marsh/MMC@MMC, Jeffrey Grewing <jeffrey.grewing@zurichna.com>, Kathleen Kelly <kathleen.kelly@zurichna.com>, Michael Hopson <michael.hopson@zurichna.com>  
From: Helen Otani <Helen\_Otani@ars.aon.com>